

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
**Reply to Office action of November 9, 2004**

### **REMARKS/ARGUMENTS**

Applicants have received the Office action dated November 9, 2004, in which the Examiner: 1) rejected claims 1-5 and 7-44 as allegedly unpatentable over Thakker et al. (U.S. Pat. No. 6,487,425); and 2) rejected claim 6 as allegedly unpatentable over Thakker et al. in view of Li et al. (U.S. Pub. No. 2002/0142746).

With this Response, Applicants amend claims 17-18, 21-26, 29-30, 32, 34, 36 and 38-40, cancel claims 1-16 and 35, and present new claims 45-52. Reconsideration is respectfully requested.

#### **I. AMENDMENTS TO THE SPECIFICATION**

With this Response, Applicants present a plurality of amendments to the specification. Paragraphs [0003], [0009] and [0019] are amended to correct grammatical and typographical errors. Paragraph [0043] is amended to obviate any interpretation as to what one of ordinary skill may have known or been able to implement prior to the benefit of reading the specification. No new matter is presented.

#### **II. CLAIM REJECTIONS**

##### **A. Claim 17**

Claim 17 stands rejected as allegedly obvious over Thakker. Applicants amend claim 17 to remove limitations not needed to define over the cited art, and further to more clearly define over Thakker's "POP OFF" button, which wakes Thakker's mobile system 50 to a full power mode.

Thakker is directed to a method and system for switching a mobile station from a low power limited operations mode to a normal operating mode. (Thakker Title). In particular, Thakker describes a low power mode of operation for a mobile telephone, which Thakker calls a mobile station. (See Thakker, Col. 6, lines 7-15). The mobile telephone network may switch the mobile telephone to normal, full power operating mode by sending a power-on-page (POP) message to the mobile telephone.

The mobile station would be configured to operate in a limited operations low power mode and the network would cause the mobile station to switch to a normal operating mode when a call is placed to

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
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an MSISDN number associated with the limited operations power mode is detected.

(Thakker, Col. 6, lines 19-23). Alternatively, the mobile telephone user can wake the mobile telephone by actuation of a button.

While in POP mode, the MS 50 operates using minimal power where, for example, only critical operations are maintained and the display is blank and no outgoing calls are made unless POP mode is disabled, using the POP OFF button 74, for example.

(Thakker, Col. 7, lines 46-50).

Claim 17, by contrast, specifically recites, "wherein the radio module scans for available wireless access points, and indicates the availability of a wireless access point, **both while the computer system is powered-off.**" Applicants respectfully submit that Thakker fails to teach or fairly suggest the limitations of claim 17. Thakker's mobile telephone moves from a low power mode to a normal operating mode. Even if Thakker's "low power limited operations mode" is equivalent to the claimed powered-off computer system (which Applicants do not admit), Thakker does not teach, suggest or even imply that "scan[ing] for available wireless access points, and indicat[ing] the availability of a wireless access point" could or should take place "while the computer system is powered-off." In fact, given that the POP messages, and the POP-OFF button, bring Thakker's mobile telephone to a normal operations mode, Thakker teaches away from the claimed limitations.

With regard to "powered-on" and "powered-off," the specification specifically states:

The terms "powered-on" and "powered-off" are used throughout this specification. The term "powered-on" means that the computer system is on and may be operation by a computer system user. The term "powered-off" means that the computer system is off and is not operational as far as a computer system user is concerned. It should be noted that in most notebook computers, even when the notebook computer is powered-off, there are certain functions and circuits within the computer that are still coupled to active power, e.g., a keyboard controller looking for assertion of a power-on request. It is intended throughout this specification that the term "powered-off" refers to the condition that, as far as the computer system user is concerned, the device is not operational. Likewise, it is intended that the term "powered-on" refers to the notebook computer in its

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
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operational state. No distinction should be made in the powered-off mode regarding the powering of a limited number of devices within the notebook computer when it is otherwise not operational. These conditions or states of the notebook computer could alternatively be referred to as turned on, turned off, powered up, powered down, and the like.

(Specification Paragraph [0019]).

Based on the foregoing, Applicants respectfully submit that claim 17, and all claims which depend from claim 17 (claims 18-25), should be allowed. Applicants amend claims 18 and 21-25 to reflect the amendments to claim 17, and further amend claim 18 to remove the "adapted to" terminology.

**B. Claim 26**

Claim 26 stands rejected as allegedly obvious over Thakker. Applicants amend claim 26 to more clearly define over Thakker's "POP OFF" button, which wakes Thakker's mobile system 50 to a full power mode.

Thakker is directed to a method and system for switching a mobile station from a low power limited operations mode to a normal operating mode. (Thakker Title). The mobile telephone network may switch the mobile telephone to normal, full power, operating mode by sending a power-on-page (POP) message to the mobile telephone. (Thakker, Col. 6, lines 19-23). Alternatively, the mobile telephone user can wake the mobile phone by actuation of a button. (Thakker, Col. 7, lines 46-50).

Claim 26, by contrast, specifically recites, "scanning for available wireless access points with a wireless communication module of the portable computing device while remaining portions of the computing device are powered-off; and indicating the availability of wireless access points while the remaining portions of the computing device are powered-off." Applicants respectfully submit that Thakker fails to teach or fairly suggest the limitations of claim 26. Thakker's mobile telephone moves from a low power mode to a normal operating mode. Even if Thakker's "low power limited operations mode" is equivalent to the claimed powered-off computing device (which Applicants do not admit), Thakker does not teach, suggest or even imply that "scanning for available wireless access points with a wireless communication module of the portable computing

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
**Reply to Office action of November 9, 2004**

device" and "indicating the availability of wireless access points" could or should take place "while the remaining portions of the computing device are powered-off." In fact, given that the POP messages, and the POP-OFF, button bring Thakker's mobile telephone to a normal operations mode, Thakker teaches away from the claimed limitations.

Based on the foregoing, Applicants respectfully submit that claim 26, and all claims which depend from claim 26 (claims 26-31), should be allowed. Applicants amend claims 29 and 30 to reflect the amendments to claim 26.

**C. Claim 32**

Claim 32 stands rejected as allegedly obvious over Thakker. Applicants amend claim 32 to more clearly define over Thakker's "POP OFF" button, which wakes Thakker's mobile system 50 to a full power mode.

Thakker is directed to a method and system for switching a mobile station from a low power limited operations mode to a normal operating mode. (Thakker Title). The mobile telephone network may switch the mobile telephone to normal, full power, operating mode by sending a power-on-page (POP) message to the mobile telephone. (Thakker, Col. 6, lines 19-23). Alternatively, the mobile telephone user can wake the mobile phone by actuation of a button. (Thakker, Col. 7, lines 46-50).

Claim 32, by contrast, specifically recites, "a wireless communication module coupled to the seek logic and a first power supply, wherein the first power supply powers substantially only the wireless communication module responsive to assertion of the seek request button, and wherein the seek logic enables the wireless communication module to perform seeking for wireless access points responsive to assertion of the seek request button... ." Applicants respectfully submit that Thakker fails to teach or fairly suggest the limitations of claim 32. Thakker's mobile telephone moves from a low power mode to a normal operating mode. Even if Thakker's "low power limited operations mode" is equivalent to the claimed situation where "the first power supply powers substantially only the wireless communication module responsive to assertion of the seek request button" (which Applicants do not admit), Thakker does not teach, suggest or even imply that "seeking for wireless access points responsive to assertion of the seek

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
**Reply to Office action of November 9, 2004**

request button" could or should take place while "the first power supply powers substantially only the wireless communication module." In fact, given that the POP messages, and the POP-OFF button, bring Thakker's mobile telephone to a normal operations mode, Thakker teaches away from the claimed limitations.

Based on the foregoing, Applicants respectfully submit that claim 32, and all claims which depend from claim 32 (claims 33 and 34), should be allowed. Applicants amend claim 34 to remove the "adapted to" terminology. Applicants cancel claim 35 as its limitations are now incorporated into claim 32.

**D. Claim 36**

Claim 36 stands rejected as allegedly obvious over Thakker. Applicants amend claim 32 to put the claim in better means-plus-function form, and to more clearly define over Thakker's "POP OFF" button, which wakes Thakker's mobile system 50 to a full power mode.

Thakker is directed to a method and system for switching a mobile station from a low power limited operations mode to a normal operating mode. (Thakker Title). The mobile telephone network may switch the mobile telephone to normal, full power, operating mode by sending a power-on-page (POP) message to the mobile telephone. (Thakker, Col. 6, lines 19-23). Alternatively, the mobile telephone user can wake the mobile phone by actuation of a button. (Thakker, Col. 7, lines 46-50).

Claim 36, by contrast, specifically recites, "wherein the first means for powering powers substantially only the means for wireless network access, and wherein the means for controlling enables the means for wireless network access to perform a seek for wireless access points responsive to assertion means for activating... ." Applicants respectfully submit that Thakker fails to teach or fairly suggest the limitations of claim 36. Thakker's mobile telephone moves from a low power mode to a normal operating mode. Even if Thakker's "low power limited operations mode" is equivalent to the claimed situation where "the first means for powering powers substantially only the means for wireless network access" (which Applicants do not admit), Thakker does not teach, suggest or even imply that "a seek for wireless access points responsive to assertion means for activating" could or should take place while "the first means for powering powers

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
**Reply to Office action of November 9, 2004**

substantially only the means for wireless network access." In fact, given that the POP messages, and the POP-OFF button bring Thakker's mobile telephone to a normal operations mode, Thakker teaches away from the claimed limitations.

Based on the foregoing, Applicants respectfully submit that claim 36, and all claims which depend from claim 36 (claims 37-39), should be allowed. Applicants amend claims 38 and 39 to reflect the amendments to claim 36.

**E. Claim 40**

Claim 40 stands rejected as allegedly obvious over Thakker. Applicants amend claim 40 to remove limitations not needed to define over the cited art, and to more clearly define over Thakker's mobile device.

Thakker is directed to a method and system for switching a mobile station from a low power limited operations mode to a normal operating mode. (Thakker Title). The mobile telephone network may switch the mobile telephone to normal, full power, operating mode by sending a power-on-page (POP) message to the mobile telephone. (Thakker, Col. 6, lines 19-23). Alternatively, the mobile telephone user can wake the mobile phone by actuation of a button. (Thakker, Col. 7, lines 46-50).

Claim 40, by contrast, specifically recites, "a wireless communication module coupled to the seek request button, and wherein the wireless communication module seeks for availability of a wireless connection to the Internet for a computer, the seeking responsive to assertion of the seek request button... ." Applicants respectfully submit that Thakker fails to teach or fairly suggest the limitations of claim 40. The description in Thakker, while using the term "mobile device," is only in the context of GSM or PCS telephone networks. (See Thakker Col. 2, lines 1-6). Thakker does not teach, suggest or even imply a device that "seeks for availability of a wireless connection to the Internet for a computer, the seeking responsive to assertion of the seek request button... ."

Based on the foregoing, Applicants respectfully submit that claim 40, and all claims which depend from claim 40 (claims 41-44), should be allowed.

**III. CLAIM CANCELLATIONS AND NEW CLAIMS**

With this Response, Applicants cancel claims 1-16, without prejudice to later asserting those claims, such as in a continuation. Further, Applicants

**Appl. No. 09/912,784**  
**Amdt. dated February 1, 2005**  
**Reply to Office action of November 9, 2004**

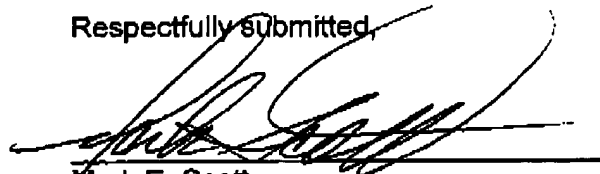
present new claims 45-48, which correspond loosely to cancelled claims 1-10, but presented in broader and better form. Likewise, Applicants present new claims 49-52, which correspond loosely to cancelled claims 11-16, but presented in broader and better form. No new matter is presented in these new claims.

#### **IV. CONCLUSION**

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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